

# Notice of Allowability

Application No.

10/808,853

Examiner

Angel R. Estrada

Applicant(s)

HULL, ERIC G.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on August 17, 2005.
2. ☒ The allowed claim(s) is/are 21, 24-26, 30, 37, 38 and 59-68.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

**IN THE CLAIMS**

- a) Claim 59 line 17, delete "[[and]]".
- b) Claim 60 line 17, delete "[[and]]".

***Allowable Subject Matter***

2. Claims 21, 24-26, 30, 37, 38 and 59-68 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 21, 24-25, 30, 37, 38 and 59-68 are:

Regarding claim 21, the prior art does not teach or fairly suggest in combination with the other claimed limitation of an electrical enclosure comprising a removable knockout cover of plastic material closing said front entrance opening for sealing said front entrance opening against entrance of poured concrete into said cavity; said removable knockout cover being molded integrally in one-piece with said peripheral wall and being attached to said peripheral wall inner surface by a frangible web that extends

around the periphery of said knockout cover and has a web thickness that is less than said knockout cover thickness.

Regarding claims 24-26, the prior art does not teach or fairly suggest in combination with the other claimed limitations of an enclosure having a removable cover of plastic material that does not overlie said fastener receiving holes and closes said front entrance opening against entrance of poured concrete into said cavity; and barriers attached to said box for closing said fastener receiving holes against entrance of concrete.

Regarding claim 30, the prior art does not teach or fairly suggest in combination with the other claimed limitations said enclosure having a removable cover of plastic material closing said front entrance opening against entrance of concrete in which the enclosure is submerged when the concrete is poured against the form surface, said cover being a knockout that is molded integrally with said peripheral wall having an inner wall surface that intersect said front surface of said peripheral wall and said cover being separably attached to said peripheral wall at said inner wall surface by a frangible that is formed by a groove that extends around said cover between said cover and said cover and said inner wall surface of said peripheral wall.

Regarding claims 37 and 38, the prior art does not teach or fairly suggest in combination with the other claimed limitations said enclosure having a removable cover of plastic material closing said front entrance opening for sealing said front entrance opening against entrance of poured concrete into said cavity, and said removable cover

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Having an outer surface that is flush with or recessed within the cavity from said front surface of said peripheral wall, said cover being a knockout cover that is molded integrally with said peripheral wall and is attached to said inner surface of said peripheral wall by a frangible web.

Regarding claim 59, the prior art does not teach or fairly suggest in combination with the other claimed limitations of said enclosure comprising a removable knockout cover being molded integrally in one piece with said peripheral wall and being attached to said peripheral wall inner surface by a frangible web that extends around the periphery of said knockout cover and has a web thickness that is less than said knockout cover thickness; and said box including a box and an adapter that are secured together and said rear cover is on said box and said removable knockout cover is on said adapter.

Regarding claim 60, the prior art does not teach or fairly suggest in combination with the other claimed limitations of said enclosure comprising a removable knockout cover being molded integrally in one piece with said peripheral wall and being attached to said peripheral wall inner surface by a frangible web that extends around the periphery of said knockout cover and has a web thickness that is less than said knockout cover thickness; a plurality of spaced-apart runners of increase thickness extending across said groove between said knockout cover and said peripheral wall to provide flow of plastic across said groove between said knockout cover and said peripheral wall during molding of said enclosure.

Regarding claim 61, the prior art does not teach or fairly suggest in combination with the other claimed limitations of an electrical enclosure having a removable cover of plastic material closing said front entrance opening against entrance of concrete in which the enclosure is submerged when the concrete is poured against the form surface; and said peripheral wall having a plurality of spaced-apart enlarged bosses projecting into said front entrance opening and said removable cover does not overlie said bosses.

Regarding claims 62 and 63, the prior art does not teach or fairly suggest in combination with the other claimed limitations of an electrical enclosure having a removable cover of plastic material closing said front entrance opening against entrance of poured concrete into said cavity; and said peripheral wall having a plurality of spaced-apart enlarged bosses projecting into said front entrance opening and said removable cover does not overlie said bosses.

Regarding claims 64 and 65, the prior art does not teach or fairly suggest in combination with the other claimed limitations of an electrical enclosure having a removable cover plastic material closing said front entrance opening for sealing said front entrance opening against entrance of poured concrete into said cavity; and said enclosure being an adapter having outwardly extending attachment tabs extending outwardly from said peripheral wall adjacent said rear surface thereof for receiving fasteners to attach said adapter to a molded plastic box and for receiving fasteners to attach said adapter to a concrete form with said front surface engaging a form surface.

Regarding claims 66-68, the prior art does not teach or fairly suggest in combination with the other claimed limitations an electrical enclosure having a removable cover of plastic material closing said front entrance opening for sealing said front entrance opening against entrance of poured concrete into said cavity; fastener receiving holes adjacent said front opening, said cover being configured so that it does not overlie said holes, and barrier closing said fastener receiving holes against entrance of concrete.

These limitations are found in claims 21, 24-26, 30, 37, 38 and 59-68, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

3. Applicant's arguments filed on August 17, 2005 have been fully considered and are persuasive.

In response to the applicant's argument the Examiner agree that neither Logsdon (US 4,742,585) nor the cited prior art teach, disclose or suggest a knockout cover being integrally molded in one-piece with said peripheral wall and being attached to said peripheral inner surface by a frangible web that extends around the periphery of said knockout cover.

***Conclusion***

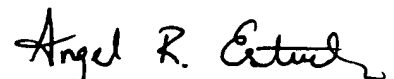
4. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 1, 2005

  
Angel R. Estrada  
Patent Examiner  
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